UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

3:13-cv-487-FDW (3:01-cr-127-MR)

ANTHONY JARON RICHARDSON,)
Petitioner,)
vs.	ORDER
UNITED STATES OF AMERICA,)
Respondent.)
)

This matter is before the Court on an unopposed motion of Petitioner, (Doc. No. 6), to hold his habeas petition pursuant to 28 U.S.C. § 2241¹ in abeyance pending resolution of the appeal in United States v. Wheeler, Fourth Circuit Case No. 16-6073. The Respondent has not objected to the motion to stay and the time to do so has expired.

IT IS HEREBY ORDERED that the Motion to Stay, (Doc. No. 6), is **GRANTED**. The United States shall have 45 days after the Fourth Circuit issues <u>Wheeler</u> in which to move to reopen this case and file its response.

Signed: September 20, 2017

Frank D. Whitney

Chief United States District Judge

¹ Petitioner alternatively seeks *coram nobis* relief under 28 U.S.C. § 1651(a) or a writ of *audita querela*.